



REMARKS

This is responsive to the Office Action mailed on November 16, 2004. In the Office Action, the Examiner rejected claims 1-8.

With this amendment, claims 1, 5 and 8 have been amended, and new claims 9-12 have been added. The application now includes claims 1-12.

Rejection under 35 USCA 103

In the Office Action, the Examiner rejected claims 1-8 under 35 USCA §103 as being taught by Schneider et al., U.S. Patent No. 6,554,149.

In the rejection under 35 USCA §103, the Examiner alleged that Schneider et al. teaches a collapsible container with a durable bottom shelves structurally similar to the applicant's claimed container. The Examiner further alleges that it would have been obvious to a person of ordinary skill at the time the invention was made to place animal feed into the container of Schneider et al. in order to preserve the food.

Applicant hereby amends independent claims 1 and 5 to include the steps of providing a removable moisture barrier within the container and then removing the moisture barrier when the moisture barrier needs to be cleaned. Support for this amendment is found in the application on page 4, starting on line 6 through line 14 and is illustrated in figure 3. No new matter is being added.

The Schneider et al. patent neither teaches nor suggests a removable liner. Furthermore, regarding the Examiner's allegation that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to place a material such as animal food in the container of Schneider et al. in order to preserve the food between feedings, this is not understood. There must be some suggestion or motivation in the reference or in the knowledge generally available to one of ordinary skill in the art to place animal food in the container of Schneider. In fact, Schneider is completely silent as to the use of its container.

New claims 9 and 10 depend from independent claim 1, and new claims 11 and 12 depend from independent claim 5. Support for dependent claims 9 and 11 is found on 4, lines 10-12 and for dependent claims 10 and 12, is found on pages 2, line 24.

In addition, claim 8 has been amended to include a period at the end of the claim.

In view of the above, it is believed that the application is now in condition for allowance. Reconsideration and allowance of all of the claims are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:   
Z. Peter Sawicki, Reg. No. 30,214  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

ZPS:dkm